

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAN 12 2012

JULIA C. DUDLEY, CLERK  
BY: *H. McDermott*  
DEPUTY CLERK

BARRY LYNN JONES,  
Plaintiff,

)

Civil Action No. 7:11-cv-00314

)

)

v.

)

**ORDER**

)

BETTY AKERS, et al.,  
Defendant.

)

By: Hon. Jackson L. Kiser  
Senior United States District Judge

)

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that this action is **DISMISSED without prejudice**, pursuant to Fed. R. Civ. P. 41(b); all pending motions are **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff and counsel of record for defendants.

ENTER: This 12<sup>th</sup> day of January, 2012.

*Jackson L. Kiser*  
Senior United States District Judge